UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/459,290	12/17/1999	JOACHIM HAGMEIER	GE9-98-075	9966

7590 02/03/2004	**EXAMINER**
WILLIAM A KINNAMAN JR INTELLECTUAL PROPERTY LAW 2455 SOUTH ROAD, P386 POUGHKEEPSIE, NY 12601	MCARDLE, JOSEPH M

ART UNIT	PAPER NUMBER
2132	

DATE MAILED: 02/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _17 November 2003_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-16_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-16_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _17 December 1999_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application)
since a specific reference was included in the first sentence of the specification or in an Application Data Sheet.
37 CFR 1.78.

    a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific
reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)	4)☐ Interview Summary (PTO-413) Paper No(s). _____.	
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)	5)☐ Notice of Informal Patent Application (PTO-152)	
3)☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.	6)☐ Other: .	

DETAILED ACTION

1.   This action is responsive to the amendment of the application (Paper No. 7) filed

on 11/17/2003. Claims 1-16 are presented for further examination.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3.   Claims 1-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Limsico

(5793952). In regards to claims 1 and 6, Limsico discloses in column 5, lines 7-12, a

password-changing program containing a graphical user interface (GUI), which allows

users to input their login information and a new password. This meets a limitation of

claim 1, which calls for users to input an identifying characteristic. Limsico further

discloses in column 5, lines 55-58, a method of examining the user-inputted login

information to make sure it is a valid login. Limsico also discloses in column 5, line 62,

that if the user's login is verified, the entered password information will be sent on to be

validated through the use of decision blocks when it is entered. This meets the

remaining limitations set forth by claims 1 and 6 which call for checking the user's

identifying characteristics and if valid, transmitting them to an identifying characteristic

processing device.

4.   In regards to claims 2 and 7, Limsico discloses in column 5, lines 63-66, how an appropriate error message will be displayed if the user login is unable to be validated. This discloser meets the exact limitations set forth under claim 2 which call for notifying a user if their identifying characteristic does not meet certain criteria.

5.   In regards to claims 3 and 8, Limsico discloses in column 6, line 36, the use of a cancel button contained in the GUI, which allows a user to exit out of the password changing program. Limsico also discloses in column 5, lines 55-66, that the password-changing program will be halted if the user login is unable to be entered. Limsico then disclose that if the user login can be verified, the password-changing program will continue and the new entered password will be passed on to the password-checking device. These disclosers meet the limitations set forth by claims 3 and 8, which call for offering the user a means to terminate the input process and either terminating or continuing the process depending on whether the identification characteristics meet all of the prescribed criteria.

6.   In regards to claims 4 and 9, Limsico discloses in column 6, lines 5-17, how passwords must be comprised of different components (for example, passwords must contain only 6 characters, must contain at least one numeric character), which are all checked and verified independently. This meets the exact limitations of claims 4 and 9, which call for performing independent checks of the components that comprise identifying characteristics.

7.   In regards to claims 5 and 10, Limsico discloses in column 6, lines 5-9, how the
password input process will be aborted if the entered password deviates from the
prescribed criteria. This meets the exact limitations of claims 5 and 10, which call for
aborting the input process if certain check criteria are deviated from.

8.   In regards to claims 11 and 15, Limsico discloses in column 5, lines 43-65, and in
figure 5, that a user can indicate the "set" command, which will cause the inputted
password (identifying characteristic) to be transmitted to a password checking device.
This meets the limitations set forth under claims 11 and 15, which call for enabling a
user activated selection facility upon inputting an identifying characteristic (password)
meeting the check criteria (column 5, lines 43-46) and transmitting the inputted
identifying characteristic (password) to the identifying characteristic processing device
(column 5, lines 61-65).

9.   In regards to claim 12, Limsico discloses in column 6, lines 47-48, that the new
password is compared to the verified new password in order to make sure they are
identical. This meets the limitations set forth under claim 12, which call for allowing the
identifying characteristic to be a password and also matching the first entry of a
password with a second entry of a password.

10.   In regards to claims 13 and 16, Limsico discloses in column 6, lines 54-57, that if
the new password is identical to the verified new password then the password changer
will spawn a remote login process. Limsico further discloses in column 6, lines 66-67
through column 7, lines 1-3, that user intervention is not needed during this process.
Limsico then discloses in column 8, lines 58-63, that once a user's password is sent to

the remote process, the remote process will then act as a password processing device and determine the validity of the password. These disclosures by Limsico meet the limitations set forth under claims 13 and 16, which call for transmitting the identifying characteristic (in this case a password) to an identifying characteristic processing device (see column 8, lines 58-63) without user intervention (see column 6, lines 66-67 through column 7, lines 1-3) upon inputting an identifying characteristic that meets the check criteria (see column 6, lines 54-57)

11.   In regards to claim 14, Limsico discloses in column 4, lines 2-6, and in figure 4, that an embodiment of the invention may be implemented on any conventional or general purpose computer system (which includes memory for program storage). This meets the exact limitations set forth under claim 14.

Response to Arguments

12.   Applicant's arguments filed 11/17/2003 have been fully considered but they are not persuasive.

(A)   Limsico describes a password change interface in which a new password is checked against criteria not as it is being entered, as claimed by applicant, but only after the user explicitly selects the password for transmission to the remote machine.

As to point A, amended claims 1 and 6 disclose checking the identifying characteristics as it is being inputted for conformance with one or more check criteria. Limsico discloses in column 5, lines 61-66 and in column 6, lines 5-23, that when a user enters a password it will be checked against a plurality of validation criteria in order to

determine its validity. Based on the language of claims 1 and 6, the examiner asserts
that Limsico's disclosure constitutes checking an identifying characteristic as it is being
inputted.

(B)   The Limsico system is thus incapable of indicating to the user that the
data is ready to be transmitted (as recited in claims 2-3 and 7)

As to point B, Limsico discloses in column 5, lines 63-66, how an
appropriate error message will be displayed if the user login is unable to be validated.
The examiner notes that claims 2-3 and 7 do not recite the limitation of "indicating to the
user that the data is ready to be transmitted." Based on the actual language of the
claims, the examiner asserts that Limsico's disclosure mentioned above meets the
specified limitations of claims 2-3 and 7 because Limsico's discloses (as mentioned
above) that the user is notified as to whether the identifying characteristic meets the
check criteria during input.

Conclusion

1.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time
policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE
MONTHS from the mailing date of this action. In the event a first reply is filed within
TWO MONTHS of the mailing date of this final action and the advisory action is not
mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

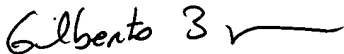than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Joseph McArdle whose telephone number is (703) 305-

7515. The examiner can normally be reached on Weekdays from 8:00 am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Gilberto Barron can be reached on (703) 305-1830. The fax phone number

for the organization where this application or proceeding is assigned is (703) 746-7239.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is (703) 305-

3900.

Joseph McArdle
Examiner
Art Unit 2132

jmm

GILBERTO BARRON
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